

MINUTES

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY OF THE CITY OF DUARTE REGULAR MEETING – JULY 13, 2010

- CALL TO ORDER** The City Council/Redevelopment Agency of the City of Duarte met in a regular meeting in the Council Chambers, 1600 Huntington Drive, Duarte, California. Mayor Finlay called the meeting to order at 5:53 p.m., with three members present (Reyes arrived during the Interview, and Fasana was absent).
- ADOPTION OF AGENDA** Paras-Caracci moved, Gaston seconded to adopt the Agenda, as amended to remove Item 10.C (Special Item), and to adjourn to July 22, 2010, at 4:00 p.m., and carried unanimously.
- INTERVIEW**
Mayor's Youth Council The City Council conducted an Interview for the Mayor's Youth Council.
- CLOSED SESSION**
1) Conference – Legal Counsel Existing Litigation
2) Conference – Legal Counsel Existing Litigation
There was no public input. Slater stated the first Closed Session is pursuant to Government Code Section 54956.9(a); Existing litigation; Remedial Civil Constructors, Inc. v. City of Duarte; Los Angeles County Superior Court Case No. BC419997. The second Closed Session is pursuant to Government Code Section 54956.9(a); Existing litigation; KUA Industry, Inc., a California corporation; U.S. Kuil, Inc., a California corporation, Petitioners and Plaintiffs v. City of Duarte, a California municipality; City Council of the City of Duarte, specifically "John Fasana, Margaret Finlay, Tzeitel Paras-Caracci, Lois Gaston, and Phil Reyes;" City of Duarte Redevelopment Agency, an agency of a California municipality; and Does 1 – 500; inclusive, Respondents and Defendants; Los Angeles County Superior Court, Case No. BS123299. The Closed Sessions concluded at 6:45 p.m. The meeting was reconvened at 7:00 p.m.
- RECORDATION OF ATTENDANCE** The following were in attendance:
PRESENT: Gaston, Paras-Caracci, Reyes, Finlay
ABSENT: Fasana
ADMINISTRATIVE STAFF PRESENT: Assistant City Manager Petersen, City Attorney Slater
- PLEDGE TO THE FLAG** Mike Lee led the Pledge of Allegiance to the Flag.
- MOMENT OF REFLECTION** A moment of reflection was observed.
- FITNESS/MENTAL WARM-UP** Petersen and Finlay provided the warm-up.
- PUBLIC REPORT OF CLOSED SESSION** Slater stated during the first Closed Session, the City Council received an update from legal counsel, and by a vote of 4-0-1 (with Fasana absent) approved a Settlement Agreement in the amount of \$90,000 with Remedial Civil Constructors, Inc., to avoid further litigation and to resolve the case, and stated the document is available for review at City Hall. On the second item, the City Council received a report from legal counsel on the status of the litigation, with no reportable action taken.

Slater stated a Closed Session will be held on Thursday, July 22, 2010, at 4:00 p.m. regarding the City of Azusa's approval of the Vulcan project. Mayor Finlay stated Agenda Item 17 (Business Item – Appointment to Mayor's Youth Council) will be combined with Item 10.B (Special Item – Introduction of newly appointed Mayor's Youth Council members).
- ANNOUNCEMENTS** Reed Strege, Duarte Library, announced new library hours, reception to honor Councilmember Gaston's donation of teen books, summer reading program, and computer classes.

Mary Barrow announced the Grand Marshal of the Route 66 Parade is 13-year old Jordan Romero, who recently climbed Mt. Everest.

	Brian Villalobos announced a free community notification service is available through Temple Station at www.nixle.com , and stated all residents can enroll online.
SPECIAL ITEMS	
Outgoing Mayor's Youth Council	Mayor Finlay presented Certificates of Appreciation to the outgoing members of the Mayor's Youth Council, and thanked them for their service to the community.
Appointment to Mayor's Youth Council	Reyes moved, Paras-Caracci seconded to appoint Matthew Monge to the Mayor's Youth Council, for a term ending June 30, 2011, and carried unanimously.
Introduction of newly-appointed Mayor's Youth Council members	Donna Georgino introduced the newly-appointed members of the Mayor's Youth Council. Mayor Finlay presented them with Certificates of Appointment, and congratulations were extended.
Recognition – Faith Franco Golden Gloves Champion	Mayor Finlay presented Faith Franco with a Certificate in recognition of being named the Women's Golden Gloves National Champion in the 152-pound weight class, and congratulated her on her accomplishment.
DART/YMCA Graduation and Scholarship Program	Brian Villalobos introduced Cindy Oliver and Courtney Spicer, who made a presentation about the DART/YMCA graduation banquet and scholarship program, and described their positive experiences resulting from the program.
ORAL COMMUNICATIONS	The following spoke on items not on the Agenda. Mike Lee – Azusa City Council decision about Vulcan. Steve Hernandez – Investment in youth, Vulcan EIR, litigation. Daniel Garcia – Community Rehabilitation Services, advocacy. Robert Reed – Homeless program. Mark Montgomery – Thrift store.
ITEMS ADDED TO CONSENT	Paras-Caracci moved, Gaston seconded to add City Council attendance at the League of California Cities Installation Dinner in Azusa on August 5, 2010, to Item 13.G, and carried unanimously.
CONSENT CALENDAR	Reyes moved, Gaston seconded to approve the Consent Calendar, as amended, as follows, and carried unanimously. Approve Items A, B, C, D, E, F, G.
RESOLUTION NO. 10-24 CalRecycle – Oil/HHW Grants	Item D – Council Bill 10-R-24 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF GRANT APPLICATIONS TO CALRECYCLE FOR ALL AVAILABLE GRANTS UNDER THE CALIFORNIA OIL RECYCLING ENHANCEMENT ACT AND ALL AVAILABLE HHW GRANTS UNDER THE CALIFORNIA INTEGRATED WASTE MANAGEMENT ACT
RESOLUTION NO. 10-25 Results of Zones 5, 6, 8, and 9 Ballots – Special Benefit Assmt.	Item E – Council Bill 10-R-25 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, UPHOLDING PROTESTS FOR AN INCREASED ASSESSMENT IN ZONES 5, 6, AND 9, AND APPROVING AN INCREASE IN ASSESSMENT IN ZONE 8 WITHIN THE CITYWIDE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT WITHIN SAID CITY, AND ORDERING THE LEVY AND COLLECTION OF SPECIAL BENEFIT ASSESSMENTS FOR FISCAL YEAR 2010-2011 PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972
PUBLIC HEARING Council Bill 10-R-26 2010-2011 Citywide Landscape/ Lighting District assessments	Mayor Finlay announced this was the time and place set for a Public Hearing relating to the 2010-2011 Citywide Landscaping and Lighting Maintenance District. Slater read by title Council Bill 10-R-26:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUARTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2010-2011 WITHIN THE CITYWIDE LANDSCAPE AND LIGHTING DISTRICT PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972

Slater asked City Clerk Akana if notice of the hearing had been given and if any written correspondence had been filed. Akana stated notice was given, the affidavit is on file, and no written correspondence was filed in the matter.

Dominic Milano, City Engineer, provided information about the annual assessment report.

Mayor Finlay asked if there was anyone in the audience who wished to speak on the item. There were none.

Reyes moved, Gaston seconded to close the Public Hearing, and carried unanimously.

Petersen provided additional information about the financial situation of the maintenance districts.

RESOLUTION NO. 10-26

Reyes moved, Gaston seconded to adopt Resolution No. 10-26, and carried unanimously.

ORDINANCE
Council Bill 10-O-04
Massage Establishments
(Second Reading)

Slater read by title Council Bill 10-O-04:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUARTE AMENDING CHAPTERS 5.56, 19.52, AND 19.66 OF THE DUARTE MUNICIPAL CODE RELATING TO MASSAGE ESTABLISHMENTS (Second Reading)

ORDINANCE NO. 821

Reyes moved, Gaston seconded to adopt Ordinance No. 821, and carried unanimously.

ORAL COMMUNICATIONS
(Continued)

The following spoke on items not on the Agenda.
Wendy Bui – Clean Streets payment, Burrtec street sweeping.
Lino Paras–DUSD measure, landscape district, street sweeping.

ITEMS FROM CITY COUNCIL/
CITY MANAGER

REYES: Inquired about the Burrtec franchise agreement (Slater responded), thanked Public Safety for their work during the 4th of July, stated when Victor Valenzuela is recognized for being inducted into the California Boxing Hall of Fame, he would like our State legislators, our Congressman, and our County Supervisor to attend the meeting, stated he is disappointed with the City of Azusa's decision about Vulcan, he appreciates Mayor Rocha's due diligence and integrity, and there are serious loopholes in the EIR, DDA, and CUP, congratulated the Chamber on its installation of officers, inquired about Edison's new venting system and landscaping on Las Lomas, Royal Oaks, and Mel Canyon, and hopes it could be rectified, and stated he would like Arizona Senate Bill 1070 on the next Agenda for discussion.

GASTON: Attended Westminster Gardens 60th anniversary, stated the meeting with Supervisor Antonovich and staff was very productive, the Park after Dark program will be at Pamela Park July 8-September 4, she is mad at how the Azusa City Council handled the Vulcan issue, there were too many pre-determined decisions, and thanked Mayor Rocha, attended the County Criminal Justice Coalition Committee meeting, provided information she received from the SEIU Pension briefing to the Assistant City Manager, visited the Senior Center and stated the seniors are looking for chairs and a safe walkway across Hun-

tington Drive, attended the Chamber installation, and asked that the meeting be adjourned in memory of Olive Clifford and that there be a moment of silence for George Steinbrenner.

PARAS-CARACCI: Announced there is a new addition to the Paras family, as her sister-in-law had a baby boy.

FINLAY: Stated the Gold Line groundbreaking was incredible and thanked Councilmember Fasana for his leadership, the meeting with Supervisor Antonovich was a good experience, invited all to attend the Concert in the Park on July 14 at 6:30 p.m., stated we are not done with Vulcan yet, she is disappointed and mad that there was not more consideration given to the views of the people in the San Gabriel Valley, thanked Mayor Rocha for standing up for what is right, and stated Duarte offered the Good Neighbor Plan, and they said no.

ADJOURNMENT

Gaston moved, Paras-Caracci seconded to adjourn the meeting at 8:45 p.m., in memory of Olive Clifford, to the Adjourned Regular Meeting of July 22, 2010, 4:00 p.m., and carried unanimously.

Mayor Margaret Finlay

ATTEST:

City Clerk